

Fitch, Even, Tabin & Flannery

Intellectual Property Law

FACSIMILE

Name: Commissioner for Patents

U.S. Patent & Trademark Office

FAX: (703)746-7239

From: Eric J. Whitesell, Reg. No. 38,657

Date: February 13, 2002

Application Serial No.: 09/814,417

Filing Date: March 21, 2001 Inventors: Subbarao et al. Group Art Unit: 2123 Examiner: Russell Frejd

Attorney Docket No. 00-077 68513

Pages: (including this 1-page coversheet) 7

Dispatched by: Pamela Stone

for Eric J. Whitesell

RECEIVED

FEB 2 2 2002

OFFICE OF PETITIONS

Transmitted herewith for filing via facsimile:

Transmittal Form PTO/SB/21 (1 pg.); Fee Transmital for FY 2002 PTO/SB/17 (1 pg.) in duplicate; Petition Under 37 C.F.R. § 1.78 (2 pgs.); Application Data Sheet (1 pg.); fax coversheet (1 pg.)

The documents accompanying this facsimile transmittal cover sheet contain information from the law firm of Fitch, Even, Tabin & Flannery which may be confidential and/or legally privileged. The documents are intended only for the personal and confidential use of the addressee identified above. If you are not the intended recipient or an agent responsible for delivering these documents to the intended recipient, you are hereby notified that any review, disclosure, copying, distribution or the taking of any action in reliance on the contents of this transmitted information is strictly prohibited. If you have received this facsimile in error, please immediately notify the Firm's that we can arrange for the return of the original documents to us. Thank you.

4250 Executive Square, Suite 510 La Jolla, CA 92037 Telephone 858-552-1311 Fax 858-552-0095 Please type a plus sign (+) inside this box → X

PTC/SB/21 (08-00)

Approval for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Offloe; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control

								number.	
					Application Number	рег	09/814,417	,	
TRANSMITTAL FORM					Filing Date		March 21, 2001	REC	
					First Named Inventor		Subbarao et al.	FEB 2	
·					Group Art Unit		2123		
'	to be used for all c	orrespondence afi	ter initial fi	īling)	Examiner Name		Russell Frejd	OFFICE OF	
	Total Number of	Pages in This Su	noissimd	6	Attorney Docket N	umber	00-077 68513		
			ENC	LOSUR	ES (check all that	apply)			
\boxtimes	Fee Transmittal (in duplicate)	ee Transmittal Form n duplicate) Fee Attached		Assignmer for an App			After Allowance Communication to Group		
	Fee Attac)rawing(s))		Appeal Communication of Appeals and Interfere		
	Amendment / Re	ply		Licensing-related Papers			Appeal Communication to Group (Appeal Notice, Brist)		
	After Fina	·	⊠ P	Petition			Proprietary Information		
	Affidavits/			Convert to a I Application		Status Letter			
	Extension of Time Request				Attomey, Revocation Correspondence Address		Other Enclosure(s) (please identify below):		
	Express Abandonment Request			Terminal Disclaimer			ppilcation Data Sheet	3 :)	
Information Disclosure Statement			Request for Refund					Mign	
Certified Copy of Priority Document(s)			CD, Number of CD(s)				Á	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	
Response to Missing Parts/ Incomplete Application			Remarks				CONT.	212	
		to Missing Parts FR 1.52 or 1.53					·		
		SIG	NATURE	OF AP	PLICANT, ATTORNE	, OR A	GENT		
Firm <i>or</i> Indiv		iric James White leg. No. 38,657	esell						
Sign	ature (Dustameter	Mitea	Ø					
Date	: F	ebouary 13, 200	700 -						
		C	ERTIFIC	CATE	F FACSIMILE TRAI	ISMISS	SION		
I here	by certify that this essed to Commission	correspondence is	s being fac	csimile tra	ansmitted to (703) 746-72			13, 2002	
Турес	d or printed name	Pamela M. Sto	ne						
Signature Gamele			m. Jone			Date	February 13, 2002		

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will very depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Petent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents. Weshington, DC 20231.



PTO/SB/17 (11-0
PTO/SB/17 (11-Under the Paperwork Reduction Act of 1995, no persons are required to respond to Complete if Known **FEE TRANSMITTAL Application Number** 09/814,417 for FY 2002 Filing Date March 21, 2001 RECEIVED First Named Inventor Subbarao, Prasad FEB 2 2 2002 Patent fees are subject to annual revision. Examiner Name Russell Frejd Group Art Unit PETITIONS

TOTAL AMOUNT OF PAYMENT \$1,280.00		Attorne	y Dod	ket No.	68513	OFFICE (
METHOD OF PAYMENT		FEE CALCULATION (continued)						
The Commissioner is hereby authorized to charge indicated fees and credit any overpayment to:	3. AI	DITIO Large Entity		EES Small Entity				
Osposit Account Number	Fee Code	Fee (\$)	Fee Code	Fae (\$)	Fee Description	Fee Paid		
Deposit Account Name	105	130	205	85	Surcharge • late fling fee or oath			
X Change Any Additional Fee Required Under 37 CFR 1.16 and 1.17	127			25	COVEL SUBBIT			
Applicant claims small entity status. See 37 CFR 1.27	139	130	139	130	Non-English specification			
2. Payment Enclosed:	147	2,520	147	2,520	For filing a request for ax parts reexamination			
Check Credit card Money Other	112	920*	112	920-	Requesting publication of SIR prior to Examiner action			
FEE CALCULATION	113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action			
1. BASIC FILING FEE	115	110	215	55	Extension for reply within first month			
Large Entity Small Entity	116	400	218	200	Extension for reply within second month			
Fee Fee Fee Fee Fee Description Code (\$) Code (\$) Fee Paid	117	920	217	460	Extension for reply within third month			
101 740 201 370 Utility filing fee	11B	1,440	218	720	Extension for reply within fourth month			
106 330 206 165 Design filing fee	128	1,960	228	980	Extension for raply within fifth month	•		
107 510 207 255 Plant filling fee	119	320	219	160	Notice of Appeal			
108 740 208 370 Reissue filing fee	120	320	220	160	Filling a brief in support of an appeal			
114 160 214 80 Provisional filing fee	121	280	221	140	Request for oral hearing			
	138	1,510	138	1,510	Petition to institute a public use proceeding			
\$UBTOTAL (1) (\$)00.00	140	110	240	55	Petition to revive - unavoidable			
2. EXTRA CLAIM FEES	141	1,280	241	640	Petition to revive - unintentional			
Fee from Extra Claims below Fee Paid	142	1,280	242	640	Utility issue fee (or reissue)			
Total Claims Z04= X =	143	460	243	230	Design Issue fee			
Independent 3"= X = X	144	620	244	310	Plant issue fee			
Multiple Dependent	122	130	122	130	Pelitions to the Commissioner	\$1,280.00		
Large Entity Small Entity	123	50	123	50	Processing fee under 37 CFR 1.17(q)			
Fee Fee Fee Fee Description	126	180	126	180	Submission of Information Disclosure Street			
103 18 203 9 Claims in excess of 20	581	40	581	40	Recording each patent assignment per property (times number of properties)			
102 84 202 42 Independent daims in excess of 3	146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))			
104 280 204 140 Multiple dependent claim, if not paid	149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))			
109 84 209 42 "Reissue independent dalms over original patent	179	740	279	370	Request for Continued Examination (RCE)			
110 18 210 9 ** Reissue claims in excess of 20 and over original patent	169	900	169	500	Request for expedited examination of a design application			
SUBTOTAL (2) (\$)00.00	Other	fee (spec	ify)					
"Of number previously paid, if granter: For Relayues, see shows	*Redu	ced by R:	aeir Eilia	on Eeo P	Peid SURTOTAL (3)	\$1.290.00		

			•		•	7
SUBMITTED BY				Complete (if application	eble)	•
Name (Print/Type)	Eric James Whiteseil	Registration No. (Attorney/Agent)	38,657	Telephone	858-552-1311	•
Signature	On Server Milesell			Date	February 13, 2002	

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization of PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.